

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED TRANSPORTATION UNION,)	
)	
Plaintiff,)	
)	
vs.)	CIVIL NO. 05-190-GPM
)	
THE ALTON & SOUTHERN RAILWAY)	
COMPANY, THE BURLINGTON)	
NORTHERN SANTA FE RAILWAY)	
COMPANY, CSX TRANSPORTATION,)	
INC., THE KANSAS CITY SOUTHERN)	
RAILWAY COMPANY,)	
MANUFACTURERS RAILWAY)	
COMPANY, NORFOLK SOUTHERN)	
CORPORATION, TERMINAL)	
RAILROAD ASSOCIATION OF ST.)	
LOUIS, and UNION PACIFIC)	
RAILROAD COMPANY,)	
)	
Defendants.)	

JUDGMENT IN A CIVIL CASE

DECISION BY COURT. This action came before the Court on the parties' cross-motions for summary judgment.

IT IS ORDERED AND ADJUDGED that pursuant to Memorandum and Order entered March 10, 2006, Defendants' motion for summary judgment is granted in part and denied in part. Plaintiff's motion for summary judgment is granted in part and denied in part, and the Court declares as follows: Plaintiff has no obligation to bargain nationally with Defendants regarding issues related to crew consist raised in the Staffing/Consolidation Proposal. Plaintiff has no obligation under the Railway Labor Act to bargain on the Joint Legislative Proposal, as the first

provision is non-mandatory and the second provision is non-bargainable. This action for declaratory and injunctive relief is dismissed on the merits.

DATED: 03/10/2006

NORBERT G. JAWORSKI, CLERK

By: s/ Linda M. Cook
Deputy Clerk

APPROVED: G. Patrick Murphy
G. PATRICK MURPHY
CHIEF U.S. DISTRICT JUDGE